

That when, upon completion or other termination of the several contracts or agreements, attempts to arrive at a final settlement were made, disputes arose.

That it was competent for Messrs. Brogden, at any time when claims on their part were disputed by the Government, to have caused the matter in dispute to be referred to arbitration, in the manner provided by their contracts, and in terms of "The Government Contractors Arbitration Act, 1872."

That the Messrs. Brogden did not within the proper time, and in the manner prescribed, upon any occasion, bring the disputed claims to arbitration.

That when the time within which such disputes could be legally brought to arbitration had been allowed by Messrs. Brogden to elapse, the Government expressed their willingness, both before and after the receipt of the letter of date 8th March, 1877, from Messrs. Brogden, to allow the contractors to bring their disputed claims to arbitration under the Act.

That the Messrs. Brogden refused to avail themselves of the opportunities thus afforded to them, and did not until a recent period attempt to bring their disputed claims to arbitration in the manner originally agreed upon and as provided by law.

That, owing to the action of Messrs. Brogden themselves, several years were allowed to elapse during which no effort was made by them to bring their claims to arbitration in the manner prescribed.

That, in consequence of this delay, much evidence, which would be necessary to enable the arbitrator to arrive at a complete knowledge of the circumstances of each disputed claim, is, in the case of the works themselves, effaced, and is, in the case of other evidence, no longer available.

On the motion of Mr. Fulton, *Resolved*, That, for the foregoing reasons, and after a careful consideration of all the circumstances and of the documents and evidence appended to this report, the Committee cannot recommend that the consent of the Government should now be given to a reference of the Brogden claims under the provisions of "The Government Contractors Arbitration Act, 1872."

The Committee then adjourned.

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FRIDAY, 25TH AUGUST, 1882.

The Committee met pursuant to notice.

*Present*: Mr. Fulton, Sir J. Hall, Hon. Mr. W. W. Johnston, Hon. Mr. McLean, Hon. Mr. Miller, Mr. Montgomery, Hon. Dr. Pollen, Hon. Mr. Stevens (Chairman.)

The minutes of the previous meeting were read and confirmed.

*Resolved*, That the Chairman report the resolutions, with the minutes of proceedings and evidence.

This concluded the Committee.